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9 Attorneys for Plaintiff
UNITED STATES OF AMERICA

11 UNITED STATES DISTRICT COURT
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 HAYK MARTIROSYAN,

17 Defendant.

No. 23-00468-TJH

STIPULATION REGARDING REQUEST FOR
(1) CONTINUANCE OF TRIAL DATE AND
(2) FINDINGS OF EXCLUDABLE TIME
PERIODS PURSUANT TO SPEEDY TRIAL
ACT

CURRENT TRIAL DATE: 11/14/23
PROPOSED TRIAL DATE: 01/30/24

19
20 Plaintiff United States of America, by and through its counsel
21 of record, the United States Attorney for the Central District of
22 California and Assistant United States Attorney Brittney M. Harris,
23 and defendant Hayk Martirosyan ("defendant"), both individually and
24 by and through his counsel of record, George G. Mgdesyan, Esq.,
25 hereby stipulate as follows:

26 1. Defendant first appeared before a judicial officer of the
27 court pursuant to a Criminal Complaint on September 11, 2023. The
28 Indictment was filed on September 22, 2023. The Speedy Trial Act, 18

1 U.S.C. § 3161, originally required that the trial commence on or
2 before December 1, 2023. Co-defendant Samvel Grigoryan is currently
3 a fugitive.

4 2. On September 29, 2023, the Court set a trial date of
5 November 14, 2023, at 10:00 a.m. A pretrial conference was
6 subsequently scheduled for October 16, 2023, at 10:00 a.m.

7 3. Defendant is detained pending trial. The parties estimate
8 that the trial in this matter will last approximately two days.

9 4. By this stipulation, defendant moves to continue the trial
10 date to January 30, 2024, at 10:00 a.m., and the pretrial conference
11 to January 9, 2024, at 10:00 a.m. This is the first request for a
12 continuance.

13 5. Defendant requests the continuance based upon the following
14 facts, which the parties believe demonstrate good cause to support
15 the appropriate findings under the Speedy Trial Act:

16 a. Defendant is charged with a violation of 18 U.S.C.
17 §§ 371, 1960: Unlicensed Money Transmitting Business; Conspiracy.
18 The government has prepared discovery for the defense should it be so
19 requested, including reports, recordings, and photographs. To date,
20 the defense has not requested discovery pursuant to Federal Rule of
21 Criminal Procedure 16.

22 b. On September 15, 2023, defendant's current counsel
23 substituted in as counsel of record. Defense counsel is presently
24 scheduled to be in the following trials: United States v. Khalatyan,
25 in Case No. 22-00345-DMG, on October 31, 2023; United States v.
26 Hannesyan, Case No. 21-00284-JAK, on November 14, 2023; and United
27 States v. Balint, et al., Case No. 23-00122-MWF, on January 23, 2024.
28 Accordingly, counsel represents that he will not have the time that

1 he believes is necessary to prepare to try this case on the current
2 trial date.

3 c. In light of the foregoing, counsel for defendant also
4 represents that additional time is necessary to confer with
5 defendant, conduct and complete an independent investigation of the
6 case, conduct and complete additional legal research including for
7 potential pre-trial motions, review the discovery and potential
8 evidence in the case, and prepare for trial in the event that a
9 pretrial resolution does not occur. Defense counsel represents that
10 failure to grant the continuance would deny him reasonable time
11 necessary for effective preparation, taking into account the exercise
12 of due diligence.

13 d. Defendant believes that failure to grant the
14 continuance will deny him continuity of counsel and adequate
15 representation.

16 e. The government does not object to the continuance.

17 f. The requested continuance is not based on congestion
18 of the Court's calendar, lack of diligent preparation on the part of
19 the attorney for the government or the defense, or failure on the
20 part of the attorney for the Government to obtain available
21 witnesses.

22 6. For purposes of computing the date under the Speedy Trial
23 Act by which defendant's trial must commence, the parties agree that
24 the time period of the date of the Court's corresponding order to
25 January 30, 2024, inclusive, should be excluded pursuant to 18 U.S.C.
26 §§ 3161(h)(7)(A), (h)(7)(B)(i) and (h)(7)(B)(iv) because the delay
27 results from a continuance granted by the Court at defendant's
28 request, without government objection, on the basis of the Court's

1 finding that: (i) the ends of justice served by the continuance
2 outweigh the best interest of the public and defendant in a speedy
3 trial; (ii) failure to grant the continuance would be likely to make
4 a continuation of the proceeding impossible, or result in a
5 miscarriage of justice; and (iii) failure to grant the continuance
6 would unreasonably deny defendant continuity of counsel and would
7 deny defense counsel the reasonable time necessary for effective
8 preparation, taking into account the exercise of due diligence.

9 7. Nothing in this stipulation shall preclude a finding that
10 other provisions of the Speedy Trial Act dictate that additional time
11 periods be excluded from the period within which trial must commence.
12 Moreover, the same provisions and/or other provisions of the Speedy
13 Trial Act may in the future authorize the exclusion of additional
14 time periods from the period within which trial must commence.

15 IT IS SO STIPULATED.

16 Dated: October 10, 2023

Respectfully submitted,

17 E. MARTIN ESTRADA
18 United States Attorney

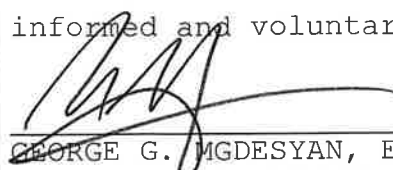
19 MACK E. JENKINS
20 Assistant United States Attorney
Chief, Criminal Division

21 /s/ Brittney M. Harris
22 BRITTNEY M. HARRIS
Assistant United States Attorney

23 Attorneys for Plaintiff
24 UNITED STATES OF AMERICA

25 I am Hayk Martirosyan's attorney. I have carefully discussed
26 every part of this stipulation and the continuance of the trial date
27 with my client. I have fully informed my client of his Speedy Trial
28 rights. To my knowledge, my client understands those rights and

1 agrees to waive them. I believe that my client's decision to give up
 2 the right to be brought to trial earlier than January 30, 2024 is an
 3 informed and voluntary one.

4 
 5 GEORGE G. MGDESYAN, ESQ.
 6 Attorney for Defendant
 7 HAYK MARTIROSYAN

10/12/23
 Date

8 This agreement has been read to me in Armenian, the language I
 9 understand best, and I have carefully discussed every part of it with
 10 my attorney. I understand my Speedy Trial rights. I voluntarily
 11 agree to the continuance of the trial date, and give up my right to
 12 be brought to trial earlier than January 30, 2024.

13 
 14 HAYK MARTIROSYAN
 15 Defendant

10-12-23
 Date

16 **CERTIFICATION OF INTERPRETER**

17 I, David Yerhanyan am fluent in the written and spoken English
 18 and Armenian languages. I accurately translated this entire
 19 agreement from English into Armenian to defendant Hayk Martirosyan on
 20 this date.

21 
 22 INTERPRETER

10/12/23
 Date